



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,290	03/17/2005	Koichi Iida	052265	4905
38834 7590 01/22/2009 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER				
THEIN, MARIA TERESA T				
ART UNIT		PAPER NUMBER		
3627				
MAIL DATE		DELIVERY MODE		
01/22/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/528,290

Applicant(s)

IIDA ET AL.

Examiner

MARISSA THEIN

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicants' "Amendment Under 37 C.F.R. § 1.111" filed on October 23, 2008.

Claim is amended. Claim 1 remains pending in this application and an action on the merits follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 2002/0042735 to Narahara et al. in view of U.S. Patent No. 5,819,232 to Shipman.

Narahara discloses a system for managing a quantity of inventory of parts, in which distribution of the parts, including shipment by a part supplier, delivery to an orderer is divided into a plurality of stages in time-sequence comprising: part order quantity computing means (paragraph 20) (first data managing device); first inventory quantity computing means for computing a tentative quantity of inventory (paragraph 20) (second data managing device); inventory information sending means (paragraphs 45-47); inventory managing means for consolidating the sent inventory information (paragraph 119) (fourth data managing device) and for displaying the sent inventory with respect to each of the stages in time-sequence (since the client, supplier and the

center warehouse are connected together via the network, the client and the center warehouse can publish information on procurement and data on the center warehoused to the supplier, paragraph 121) (data on the center warehouse such as the number of parts warehoused or shipped, the current amount of stocks, and the client's current obligation. For acceptance can be published to the supplier and the client, thereby enabling information to be shared and allowing each department to carry out autonomous management, paragraph 122),

However, Narahara does not explicitly disclose the second inventory computing means for computing actual quantities of inventory. Narahara discloses a third data managing device which manages warehousing to restrain the supplier from producing an excess of parts whereby the number of accepted and warehoused parts does not exceed the client's obligation for acceptance for each supplier and each part number (paragraph 20). Narahara discloses a fourth data managing device for unifying these data managing devices (paragraph 119).

Shipman, on the other hand, teaches the second inventory quantity computing means for computing an actual quantity of inventory (col. 3, lines 16-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Narahara, to include the second inventory quantity computing means for computing an actual quantity of inventory, as taught by Shipman, in order to provide sufficient product to customers by carrying sufficient inventory and to reduce production costs (Shipman, col. 1, lines 15-17).

Response to Arguments

Applicant's arguments filed October 23, 2008 have been fully considered but they are not persuasive.

Applicants remark "that none of the cited references, alone or in combination discloses a system for managing a quantity of inventory of parts constituting a product comprising a first and second inventory quantity computing means as described in the claimed invention".

The Examiner does not agree. The combination of Narahara and Shipman discloses the recitation above. The procurement and managing system comprises a first data managing device for executing a parts developing process based on production schedule data and configuration data on finished parts to calculate a quantity in number of parts ordered on the basis of a forecast and the client's obligation for acceptance; a second data managing device for obtaining data required for production on the basis of information output from the parts procuring device utilized by a supplier; a third data managing device which receives parts produced by the supplier and ships the parts to the client that is utilized to a center warehouse; and a warehousing and shipment managing device for managing warehousing and shipment of parts so as to ship parts ordered by the client according to shipment instruction data. The third data managing device is for managing warehousing to restrain the supplier from producing an excess of parts whereby the number of accepted and warehoused parts does not exceed the client's obligation for acceptance for each supplier and each part number. (Paragraph 20) Narahara further discloses the warehousing and shipment managing

device 8 of the center warehouse 3 is responsible for a warehousing process and a shipment process. The warehousing process is executed for storing loaded data on warehousing from the supplier 2 and locations in the center warehouse 3 where parts are stored so that the data and the locations are associated with each other. The shipment process such as a picking operation is executed for picking up only parts ordered by the client from the stored locations on the basis of a shipment instruction transmitted from the parts procuring device 7 to the warehousing and shipment managing device 8 on the basis of actual production at the client 1. Parts picked up from the center warehouse 3 are transported to the parts warehouse 1b by the freight car 6 and stored therein for a fixed period before the actual production. (Paragraph 47-48) Thus, with the parts procuring and managing system, the client (factory) and the supplier 2 and the center warehouse 3 are connected together via the network 4 as shown in FIG. 2. Accordingly, data can be shared by the processing devices distributed at different locations to minimize the size of the client's inventory, thereby allowing the supplier 2 to efficiently produce parts. (Paragraph 49) The Examiner then turns to Shipman to teach the actual inventory. Shipman teaches the method of inventory control of a manufacturing or distribution process which comprises the step of computing a production schedule at predetermined intervals to maintain an actual inventory between the upper and lower bounds of the planned inventory (col. 3, lines 17-19).

Such procurement and managing system of Narahara comprising: a first managing device, a second managing device, a third managing device and a

warehousing and shipment managing device; third data managing device which is for managing warehousing to restrain the supplier from producing an excess of parts whereby the number of accepted and warehoused parts does not exceed the client's obligation for acceptance for each supplier and each part number; warehousing and shipment managing device of the center warehouse is responsible for a warehousing process and a shipment process, wherein the warehousing process is executed for storing loaded data on warehousing from the supplier and locations in the center warehouse where parts are stored so that the data and the locations are associated with each other and the shipment process such as a picking operation is executed for picking up only parts ordered by the client from the stored locations on the basis of a shipment instruction transmitted from the parts procuring device to the warehousing and shipment managing device on the basis of actual production at the client; parts picked up from the center warehouse are transported to the parts warehouse by the freight car and stored therein for a fixed period before the actual production; and Shipman's method of inventory control of a manufacturing or distribution process which comprises the step of computing a production schedule at predetermined intervals to maintain an actual inventory between the upper and lower bounds of the planned inventory are considered "a system for managing a quantity of inventory of parts constituting a product comprising a first and second inventory quantity computing means as described in the claimed invention".

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MARISSA THEIN** whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. T./
Examiner, Art Unit 3627
January 13, 2009

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627